

ARTICLE 24:54
TEACHER COMPENSATION PROGRAM

24:54:01. Definition of terms.

24:54:02. Teacher Compensation Assistance Oversight Board.

24:54:03. Program guidelines.

24:54:04. Application.

CHAPTER 24:54:01
DEFINITION OF TERMS

24:54:01. Definitions. Terms used in this article mean:

- (1) “Certified instructional staff,” classroom teachers and school service specialists;
- (2) “District instructional goals,” program based on specific educational goals or objectives developed by the school district;
- (3) “Market compensation,” a program based on market driven needs to recruit and retain teachers to hard to staff positions;
- (4) “Teacher compensation,” funds to directly enhance teacher salaries.

General Authority: HB 1171, Sections 1-3, 2007

Law Implemented: HB 1171, Sections 1-3, 2007

CHAPTER 24:54:02

TEACHER COMPENSATION ASSISTANCE OVERSIGHT BOARD

Section

24:54:02.01. Purpose

24:54:02.02. Terms of members

24:54:02.03. Composition

24:54:02.01. Purpose. The purpose of the Teacher Compensation Assistance Oversight Board is to review all school district applications for teacher compensation funds. The Secretary of Education shall appoint the board. The board shall meet a minimum of twice a year for the following purposes:

- (1) To recommend to the Board of Education those districts which should be approved for teacher compensation funds, as well as those districts which should not be approved for such expenditures.
- (2) To monitor the progress of participating school districts and submit its findings to the Board of Education.

The Board of Education has final authority to approve or disapprove teacher compensation funds.

General Authority: HB 1171, Sections 1-3, 2007

Law Implemented: HB 1171, Sections 1-3, 2007

24:54:02.02. Terms of members. The secretary shall appoint nine members to the Teacher Compensation Assistance Oversight Board. Appointment to the board is limited to a maximum of three years. The secretary shall use a staggered appointment

schedule when appointing members. The terms of the members of the first Teacher Compensation Assistance Oversight Board shall be:

- (1) One-third selected for one-year terms;
- (2) One-third selected for two-year terms; and
- (3) One-third selected for three-year terms.

All subsequent terms shall be for three years. Members of the initial board are eligible for reappointment. No member may serve more than two consecutive three-year terms on the board. Persons appointed to the board to fulfill the unexpired portion of a term shall serve for the unexpired portion of that term and may be reappointed for up to two full three-year terms.

General Authority: HB 1171, Sections 1-3, 2007

Law Implemented: HB 1171, Sections 1-3, 2007

24:54:02.03. Composition. The composition of the Teacher Compensation Assistance Oversight Board shall include representatives from each of the following groups:

- (1) Department of Education, non-voting
- (2) South Dakota Legislature, two members;
- (3) School administrator, one member;
- (4) School business official, one member;
- (5) School board member, one member;
- (6) Business leader, one member;
- (7) Teacher, one member; and

(8) Two members at large.

General Authority: HB 1171, Sections 1-3, 2007

Law Implemented: HB 1171, Sections 1-3, 2007

CHAPTER 24:54:03

PROGRAM GUIDELINES

24:54:03:01. Use of funds.

24:54:03:02. District plans.

24:54:03:01. Use of funds. The teacher compensation funds shall:

- (1) Be distributed to certified instructional staff only;
- (2) Supplement and not supplant local salary policy;
- (3) Include matching funds;
 - (a) Must be taken from district general funds; and
 - (b) Federal funds or private funds may be used.

The teacher compensation funds shall not be used:

- (1) For the purpose of providing substitute teachers;
- (2) To contract with outside vendors for professional development services;
- (3) To provide benefit payments to teachers;
- (4) To provide base salaries for new personnel; and
- (5) To equally divide compensation to all teachers in the salary schedule.

The oversight board has the right to deny applications based on additional restrictions.

General Authority: HB 1171, Sections 1-3, 2007

Law Implemented: HB 1171, Sections 1-3, 2007

24:54:03:02. District plans. District plans must focus on meeting district goals, a plan to enhance teacher compensation through market compensation strategies, or both. Plans must be approved by the local school board prior to submission to the Department of Education.

General Authority: HB 1171, Sections 1-3, 2007

Law Implemented: HB 1171, Sections 1-3, 2007

CHAPTER 24:54:04

APPLICATION

Section

24:54:04.01. Application process

24:54:04.02. Application timeline.

24:54:04.02. Required documentation.

24:54:04.01. Application process. The application process for school districts requires they apply for the teacher compensation funds on a form provided by the secretary. A school district's application for teacher compensation funds must be approved by the local board of education prior to submission to the Department of Education

General Authority: HB 1171, Sections 1-3, 2007

Law Implemented: HB 1171, Sections 1-3, 2007

24:54:04.02. Application timeline. The following timeline will be followed regarding the application:

- (1) Released to school districts by November of each year;
- (2) Reviewed by the Teacher Compensation Assistance Oversight Board in December;
- (3) Approved by the Board of Education in January;
- (4) Districts will be notified of the board's decision by February 1 of each year of the funds available for the following school year.

General Authority: HB 1171, Sections 1-3, 2007

Law Implemented: HB 1171, Sections 1-3, 2007

24:54:04.03. Required documentation. The required documentation for a school district's application for teacher compensation funds must include the following documentation:

- (1) District instructional goals, market compensation, other specific district requirements as approved by the department, or a combination of all criteria;
- (2) Source of matching funds; and
- (3) Demonstration of an evaluation process to determine how objectives will be met and funds accounted for.

General Authority: HB 1171, Sections 1-3, 2007

Law Implemented: HB 1171, Sections 1-3, 2007

